



PAGE COUNTY BOARD OF SUPERVISORS

REGULAR MEETING-MINUTES

FEBRUARY 13, 2001

GENERAL DISTRICT COURT ROOM

Minutes marked as "Not Adopted" are posted prior to being adopted by the Board of Supervisors. Some corrections may be made at the next regular meeting of the Board. Please call the County Administrator's Office at (540) 743-4142 if you have a question about a specific item.

MEMBERS PRESENT:Allen Cubbage, Chairman, District 3

Nora Belle Comer, Vice Chairman, District 1

Elaine Mayberry, Supervisor, District 2

Gerald Cubbage, Supervisor, District 4

Robert P. Good, Supervisor, District 5

ALSO PRESENT:C. Dean BeLer, County Administrator

Rodger L. Smith, County Attorney

Geraldine Cubbage, Accountant

Sheriff Presgraves

Mr. C. R. Suddith Jr., Treasurer

Mr. Kenneth Fox, Building Official

Mr. Billy Aleshire, Zoning Administrator

Mr. Ben Endicott, Computer Programmer

Mr. John Thomas, Director Weldon Cooper Center

Mr. Gerald Dovel, Health Department

Mr. Peachy, Acting Executive Director of Northwestern

Dr. Robert T. Chappell, School Superintendent

Mr. Ed Markowitz, Airport Commission

Donna Hoke, Administrative Assistant

CALL TO ORDER

At 2:30 p.m. Chairman Allen Cubbage called the meeting of February 13, 2001 to order and the invocation was given by Supervisor Comer, followed by Supervisor Mayberry reciting the Pledge of Allegiance.

ADOPTION OF AGENDA:

1. Mr. BeLer noted that between agenda items #7 and # 8 he would like to address the Board in regards to the relationship between himself and the Board.
2. Mr. BeLer noted that Mr. Beahm would be unable to comment on the E911 Consolidation Committee at his regular scheduled time, due to his work schedule. It was expected that Mr. Beahm would be available to address the Board at 6:00 p.m.

MOTION:

Supervisor Mayberry made a motion to adopt the agenda as amended.

Supervisor Comer seconded. The motion was carried with a vote of 5-0.

AYES: Elaine Mayberry, Allen Cubbage, Gerald Cubbage, Robert Good, and

Nora Belle Comer.

NAYS: None

County Administrator's reports:

Mr. BeLer noted that he was still trying to arrange for the Board of Supervisor's to take their retreat at minimal cost. Mr. BeLer reported that the budget process was two weeks behind schedule. Conclusion on reports was done with a thank you, to Donna Hoke and Mary Jane Tester for compiling the information for the public handout brochure.

Public Comments:

Mr. Rogerson addressed the Board requesting that the Board take the necessary course to have an independent investigation done on the explosion at the Stanley Landfill.

Chairman Allen Cubbage directed staff to respond to the issue of an independent investigation at the Stanley Landfill.

Supervisor Gerald Cubbage stated that he had requested a copy of the design of the leachate tanks. These may reflect as to a breach of the integrity of the leachate tanks, the explosion, or the inferior quality workmanship of the tanks.

UVA Institute of Government:

Mr. BeLer introduced Mr. John Thomas from the Weldon Cooper Center for public service. Mr. Thomas gave a brief statement outlining all the public services that the center can offer people regarding local government. Mr. Thomas has had 23 years of government experience and can offer, through e-mail or website, answers to questions that any person may need concerning local government. All information is updated regularly and if a person should choose to, can be kept confidential.

Appeals of claims:

Mr. Rodger Smith informed the Board that to his knowledge there were presently two claims pending. The first claim being with Tellurian for the amount of \$107,000. Mr. Smith recommended to the Board that this claim be brought before Mr. Cornwell. The second claim pending is from McNair and Associates for the amount of \$2,667.79. Mr. BeLer concluded in noting that these pending claims were put on the agenda for the Board's update, and agreed to bring further information before the Board at a later date.

JMU Agreement:

Mr. Gerald Dovel addressed the Board to briefly update the Board as to the progress the Water Quality Advisory Committee has made in their efforts to improve water quality in Page County. Mr. Dovel also asked for the Board's support in continuing the agreement between Page County, and James Madison University. James Madison University at present is supplying water quality services for Page County.

MOTION:

Supervisor Mayberry moved to approve the agreement between James

Madison University and Page County for a cost of \$4,800 for one year's services. In the event funds are not budgeted and appropriated the County Administrator is directed to return with a recommendation.

Supervisor Comer seconded. The motion was carried by a vote of 4-0-1.

AYES: Elaine Mayberry, Allen Cubbage, Gerald Cubbage, and
Nora Belle Comer

NAYS: None

Abstain: Good

Animal Shelter Capital Project:

Mr. Kenny Fox addressed the Board to offer the Board a current status on the Animal Shelter. The State has recommended that the shelter be constructed by July 1, 2001. Mr. Fox informed the Board that this deadline could not be met, but did not foresee any problems involving the State, as long as the County continued to make forward progress in the plans for construction. It was Mr. Fox's recommendation that the Board advertise for an Architect for the proposed plans.

MOTION:

Supervisor Comer moved to approve to advertise for the cost of the design, construction plans, and estimated cost of project for the Page County Animal Shelter at the existing building, located at the Stanley Compactor Site.

Supervisor Gerald Cubbage seconded. The motion was carried by a

Vote of 5-0.

AYES: Elaine Mayberry, Nora Belle Comer, Gerald Cubbage,
Robert Good, and Allen Cubbage.

NAYS: None

Increase of fees-Building Department:

Mr. Kenny Fox addressed the Board concerning the possible need to increase the building permit fees in Page County. Mr. Fox provided the Board with a handout which outlined the current prices, and proposed prices for assigned permit fees. Included in the handout was a cost of permits established in the surrounding Counties. After the permit cost from the surrounding Counties was reviewed, it was noted that the proposed fee increases, would bring Page County more in line with the other Counties.

Supervisor Mayberry informed the Board that the Contractors Association is in favor of the increase, and expressed that increasing the fees would help to balance the budget of that department.

Supervisor Good commented that he would like to see commercial take the increases in lieu of residential.

Chairman Allen Cubbage felt that the County had already experienced a large tax increase, and it was unwise at this time to increase the fees for the citizens of Page County.

MOTION:

Supervisor Mayberry moved to take to Public Hearing the proposed revised fee schedule for Page County.

Supervisor Gerald Cubbage seconded. The motion was carried by a vote of 3-2.

AYES: Elaine Mayberry, Gerald Cubbage, and Nora Belle Comer

NAYS: Robert Good, and Allen Cubbage

Amendment to Soil & Erosion Ordinance:

Billy Aleshire addressed the Board noting that the agenda packet provided a letter from the Shenandoah Valley Soil and Water Conservation District. The letter stated that the District had voted to secure the services of a contractor, while continuing to pursue an effort to have a staff member become certified in the future. The letter further noted the District's plan to ensure that the soil and erosion regulations are met and complied with State standards. After a brief discussion with the Board it was recommended not to amend the Page County Soil Erosion Ordinance.

MOTION:

Supervisor Good moved not to amend the Page County Soil Erosion Ordinance Section 50-4 Designation of Plan Approving Authority and section 50-6 Approval of Plans and Issuance of Permit due to the fact that we have accepted the Shenandoah Valley Soil and Water Conservation District's proposal to do Page County's Erosion and Sediment Plan Review.

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Nora Belle Comer, Robert Good, Gerald Cubbage, and Allen Cubbage

NAYS: None

Board By-Laws:

Mr. BeLer noted that the agenda packet contained the January 31st addition of the By-laws that reflected the current changes.

After discussion, it was noted that changes would be made to the By-laws and resubmitted for approval at the March Board of Supervisors meeting.

Designation of Fiscal Agent to CSA:

Mr. Peachy addressed the Board with a brief review of the presentation he had given the Board in the January Board meeting.

Dr. Chappell was asked to address the Board, in which he explained his reason for the recommendation to designate a fiscal agent to CSA. Dr. Chappell reported that upon his hiring to the Page County school system, there was no funding available for a secretary to assist him. The receptionist at the School Board office is presently assisting in completing or typing the information necessary for CSA actions. Dr. Chappell informed the Board that with his Board's approval, he is willing to offer to spend an additional hour per day to complete this work himself. It was strongly felt by Dr. Chappell that the completion of this work could be done on a part-time basis.

Mr. BeLer intervened, reporting that his research of this issue, prominently shows the Board of Supervisors, or Social Services providing the fiscal agent. In other counties, it is rare that the school system provides the fiscal agent. Mr. BeLer noted that after talking to Social Services, they are not inclined to provide this service.

The Board expressed their interest in finding out exactly how much time it involves in maintaining this job.

Dr. Chappell graciously informed the Board that he would accept the responsibility of the job, and would report back to the Board at a later date.

Luray Airport Road agreement:

Mr. Markowitz addressed the Board stating that information pertaining to the Luray Airport Road relocation project had been supplied in the Board's agenda packet. Information noted that earlier in the year, Page County Board of Supervisors had requested \$400,000.00 in matching funds through the Commonwealth Transportation Board, in a Revenue Sharing Program. Mr. Markowitz noted that the Commonwealth Transportation Board subsequently approved an allocation of \$396,700.00. Presently, Mr. Markowitz was bringing to the Board a proposed agreement to approve.

With the additional item added to the agenda, Mr. BeLer communicated to the Board his request to discuss the relationship between himself and the Board at the retreat. Mr. BeLer emphasized what a great passion he had for his work in County government. It was noted that his Greek background could possibly be one reason he enjoyed and took his job so seriously. Doing the best job for the County was top priority for Mr. BeLer, and noted that he could foresee certain items being handled differently to bring better quality of service to the Board of Supervisors.

Supervisor Good commented that the Board has an organizational chart showing that the County Administrator reports to the Board, but every other employee reports to the County Administrator. The County Administrator has jurisdiction over all employees and anything else would be unsatisfactory. Supervisor Good emphasized that each Supervisor in turn needs to coordinate with the County Administrator before going off on their own to do business. Without this coordination, the system will fail.

Closed session: 4:55 p.m.

MOTION:

Supervisor Good moved that the Page County Board of Supervisors enter into a closed meeting pursuant of the provisions of Section 2.1-344.1 of The Code of Virginia, 1950, as amended, for the purpose of discussing Personnel, and legal matters.

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Nora Belle Comer, Robert Good, Allen Cubbage, and Gerald Cubbage.

NAYS: None

Exit closed session: 6:10 p.m.

MOTION:

Supervisor Good moved the closed meeting be adjourned and the Page County Board of Supervisors convene again in open session.

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Gerald Cubbage, Nora Belle Comer, Allen Cubbage

NAYS: None

Certification of closed session:

"To the best of my knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.1-344 of the code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting of February 13, 2001."

MOTION: Supervisor Good SECOND: Supervisor Mayberry

AYE NAY ABSENT ABSTAIN

Nora Belle Comer X

Elaine Mayberry X

Gerald M. Cabbage X

Robert P. Good X

Allen J. Cabbage X

Budget Transfers & Supplement Appropriations: (attachment #1)

Mrs. Cabbage addressed the Board with a brief summary of the material contained in the agenda packet concerning the budget transfers. It was noted that the description, delinquent tax collections was incorrect, and should be referred to as legal financial bond council.

Mr. BeLer took a few moments to explain to the Board what was recommended and what was not recommended regarding the Budget Transfers. It was noted that listed under not recommended were a custodian position that was listed as full-time with benefits. This position was previously approved as part-time with no benefits and Mr. BeLer recommended it stay part-time.

The second position will need some clarification after the closed session from the Board as what is considered full-time and permanent part-time.

The third position is the CSA Coordinator, which will be cleared up, following the return report of the School Board Superintendent.

Geraldine Cabbage noted one correction on the supplemental appropriations. There is a figure of \$17,564.00 that could be removed. This was an expenditure refund that has already been taken care of.

Mr. C.R. Suddith Jr. was asked to address the Board on this issue. Mr. Suddith noted that the auditors recommended that any expenditure refunds that are received during the year that the original expenditure was made, they recommend that they do not go through the appropriation process. These funds could be held in a General Fund as a savings.

Mr. BeLer informed the Board that this may be a process different than in the past, but one that the auditors have recommended. Any time the Board awards any money, it needs to be budgeted and appropriated as new money coming in.

Chairman Allen Cubbage asked Sheriff Presgraves to address the Board concerning the money that his department has raised.

Sheriff Presgraves addressed the Board informing them that the money was not the County's money or taxpayers money. This was money supplied by the Federal Government for off duty work of his deputy's. It was noted that this was money generated after long hours of work, so that equipment could be purchased for the Sheriff's department without having to ask the Board for the funds. Sheriff Presgraves told the Board that this money did not need to go back into the General Fund to balance a budget, but that it needed to go back into his department for that departments use. Sheriff Presgraves noted that he had already put this \$19,000 in his proposed budget for the upcoming year, but that it could be removed if the Board chose to appropriate these funds back into his department.

Supplemental Appropriations:

MOTION:

Supervisor Good moved to budget and appropriate to the department of General Fund a total of \$51,578.00 and to the Welfare Fund a total of \$7,960.00 incorporating and attaching hereto the detailed requests and sources of funds.

Supervisor Mayberry seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Robert Good Gerald Cubbage

Allen Cubbage, and Nora Belle Comer.

NAYS: None

Budget Transfers:

MOTION:

Supervisor Mayberry moved to approve the inter-department budget transfers totaling \$46,500.00 incorporating and attaching hereto the detailed request.

Supervisor Gerald Cubbage seconded. The motion was carried by a vote

of 5-0.

AYES: Elaine Mayberry , Allen Cubbage, Gerald Cubbage, Nora Belle Comer, and Robert Good.

NAYS: None

Approval of minutes:

MOTION:

Supervisor Good moved to approve the minutes of January 11, 2001, January 16, 2001, and January 23, 2001.

Supervisor Mayberry seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Allen Cubbage, Robert Good
Gerald Cubbage, and Nora Belle Comer.

NAYS: None

Overtime and Fair Labor Standards:

Mr. BeLer addressed the Board stating that the County has been visited by an auditor from the Department of Labor. It was noted that she scanned portions of the County's records and then reviewed them. She has made some recommendations to the County as to how they can comply with the Fair Labor Standard Act. Mr. BeLer noted that the County needed to proceed with this as soon as possible.

Part-time Building Inspector:

Mr. Kenneth Fox was asked to address the Board concerning hiring a part-time inspector. Mr. Fox informed the Board that finding a part-time Building Inspector has not been an easy task. After following through on numerous ways of advertising, seven applications were received. Out of those, four people were asked to interview with only two people showing up for the interview. One applicant had no experience in the field, and the other is a retired Rockingham Building Official. Mr. Fox recommended that the latter be hired for the Job.

MOTION:

Supervisor Comer moved to approve the hiring of Mr. Douglas Stover as a

part-time Certified Building Official in the building department, at the rate of \$16.50 per hour, with the understanding of a three day estimated work week.

Supervisor Gerald Cubbage seconded. The motion carried with a vote of

5-0.

AYES: Elaine Mayberry, Gerald Cubbage, Nora Belle Comer, Allen

Cubbage, and Robert Good.

NAYS: None

Norfolk & Southern Offer:

Mr. BeLer addressed the Board on this issue and recommended the Board defer this offer until the next regular Board meeting held in March. The County Attorney, Mr. BeLer, and possibly a Board member would be asked to meet with a representative of Norfolk & Southern to get a better understanding of the offer at hand.

MOTION:

Supervisor Good moved to defer this item to the next regular Board meeting.

Supervisor Comer seconded. The motion was carried by a vote of

5-0.

AYES: Elaine Mayberry, Nora Belle Comer, Allen Cubbage, Robert

Good, and Gerald Cubbage.

NAYS: None

Amendment to Battlecreek Permit:

Mr. Sedwick addressed the Board stating that he would like to withdraw the application for the permit amendment. Mr. Sedwick noted that they would be having a technical meeting on the upcoming Friday, in which he would also invite and encourage a Board member to attend.

Mr. Sedwick left the Board with a few proposed contracts for the Boards review. Also distributed

in the information to the Board, was a proposed policy on dirt removal from the landfill.

Old Business:

Supervisor Mayberry announced that she had some old business to address concerning the CPI adjustment with Tellurian. Supervisor Mayberry added that the following was Mr. Cornwell's advice at a previous meeting.

MOTION:

Supervisor Mayberry moved to direct the County Administrator to place on the Board's agenda each month pre-approval of the Tellurian contractual payment which is paid on the first of each month. Further I move to escrow the CPI increase except the .85 cents per ton that was effective the first of January and all further CPI increases until the Board rescinds this directive.

Supervisor Gerald Cabbage seconded. The motion was carried by a

Vote of 5-0.

AYES: Elaine Mayberry, Nora Belle Comer, Robert Good, Allen Cabbage, and Gerald Cabbage.

NAYS: None

New Business:

Newsletter: Mr. BeLer stated that the next newsletter will be going out the first part of March or April. Mr. BeLer was interested to know if the Board had any specific information they wanted addressed in the next newsletter. It was noted that some items that would be addressed would be Redistricting, and The Comprehensive Plan.

Supervisor Comer noted that she would like an article updating the progress with the animal shelter.

Supervisor Mayberry mentioned that Constitutional Officers should be notified in case they have any information that they would like submitted.

Board & Commission appointments:

Mr. BeLer noted that the Disability Service Board may need to have a representative reappointed, but this would need to be checked in to further.

It was noted that all Board Committee assignments would remain the same.

E911 Committee:

Mr. Beahm addressed the Board stating that Sheriff Presgraves and himself have set up a meeting on February 21, 2001 to discuss a plan. Anyone interested is invited to attend, also noting the Police Chiefs, and Fire Chiefs will be attending.

Proposed Landfill Engineer:

Supervisor Mayberry addressed the Board stating that as part of the Stanley Landfill Committee, she has, along with Supervisor Gerald Cubbage, put together a job description for an Engineer at the landfill to oversee the gas extraction system.

MOTION:

Supervisor Mayberry moved to approve the advertising for the position of an Engineer at the Stanley Landfill to oversee the gas extraction system.

Supervisor Gerald Cubbage seconded. The motion was carried by a vote of 3-2.

AYES: Elaine Mayberry, Gerald Cubbage, and Nora Belle Comer.

NAYS: Allen Cubbage, and Robert Good.

Supervisor Time:

Supervisor Mayberry noted that she had been appointed by NACO to the Human Services and Education Steering Committee. She has asked Dr. Chappell and Mr. Gibbs to get together with her to brief her on different issues before attending a seminar in Washington.

Supervisor Comer addressed the citizens stating that it was not a secret that she was a strong supporter in the replacement of the Sandy Hook Bridge. Supervisor Comer also noted that this did not mean that the issue to not replace the bridge was not important, continuing with saying that both sides offered strong pros and cons. At this time she would like for VDOT to postpone their recommendation until April to reevaluate.

MOTION:

Supervisor Comer moved to have VDOT postpone their recommendations until the month of April to reevaluate.

Supervisor Good seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Gerald Cubbage, Allen Cubbage, Nora Belle Comer, and Robert Good

NAYS: None

Public Hearing:

Stonyman Agricultural and Forestal District

Mr. Smith read for the Board and citizens the advertised public notice for the proposed establishment of an Agricultural/Forestal District.

Chairman Allen Cubbage asked if there was anyone who wished to speak on the proposed establishment of an Agricultural/Forestal District.

Mr. Lee McWhorter

Mr. McWhorter spoke in favor of the establishment of the Agricultural/Forestal District.

Mr. Jerry Turner

Mr. Turner addressed the Board voicing his appreciation to all the people who helped bring this to the Board of Supervisors. Mr. Turner concluded in saying that he was in favor of the establishment of an Agricultural/Forestal District.

Mrs. Natalie Zuckerman

Mrs. Zuckerman spoke in favor of the District, and asked that the Board please approve.

Mary Joe Scala

Ms. Scala spoke in favor, stating she was from the Valley Conservation Council. She added that she has followed the proposed ordinance and strongly supports the establishment of an Agricultural/Forestal District.

Chairman Allen Cubbage closed the public hearing at this time. 7:40 p.m.

All supervisors voiced their support in the establishment of the Agricultural/Forestal District.

MOTION:

Supervisor Gerald Cubbage moved to approve the establishment of the

Stoneyman Agricultural/Forestal District, effective March 1, 2001.

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Allen Cubbage, Gerald Cubbage,

Robert Good, and Nora Belle Comer.

NAYS: None

Consent Agenda:

Mr. BeLer noted that this was the first time for a consent agenda, and this offered the Board the ability to approve items all in one motion. This however does not prevent a Board member from excluding an item on the consent agenda.

Supervisor Gerald Cubbage asked that Check # 31039 be excluded from the Warrant List. Supervisor Cubbage noted that he would like Mr. Cornwell to approve that check.

MOTION:

Supervisor Comer moved to approve the consent agenda.

Supervisor Mayberry seconded. The motion carried with a vote of 5-0.

AYES: Elaine Mayberry, Gerald Cubbage, Robert Good,
Allen Cubbage, and Nora Belle Comer.

NAYS: None

Items contained on the Consent Agenda are as follows:

Approval of Warrant List

Acceptance of Financial Reports

Carry over Leave Time

Zoning refunds

Resolution County Administrator- Jim Campbell

Fire of Shenandoah Complex-Resolution

Petfix month

VRA Pooled Loan Program Application

Central Shenandoah Criminal Justice Training Academy

Erroneous Assessment Personal Property-East Coast Oil

Airport Project Grant Agreement- Additional Funds

Warrant List:

MOTION:

Supervisor Good moved to approve checks ranging in numbers from 30895 to 30904 in the amount of \$9,689.83

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cubbage, Gerald Cubbage, and Nora Belle Comer.

NAYS: None

MOTION:

Supervisor Comer moved to approve checks ranging in numbers from 30908 to 30934 and 30946(corrected check-see warrant list) in the amount of \$73,221.26.

Supervisor Good seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cubbage,

Gerald Cubbage, and Nora Belle Comer.

NAYS: None

MOTION:

Supervisor Gerald Cubbage moved to approve the checks ranging in

Numbers from 4501 to 4648 in the amount of \$189,909.78.

Supervisor Mayberry seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cubbage,

Nora Belle Comer, and Gerald Cubbage.

NAYS: None

MOTION:

Supervisor Mayberry moved to approve Checks ranging in numbers from 30935 to 30943, (excluding check number 31039) in the amount of

\$10,187.61.

Supervisor Gerald Cubbage seconded. The motion was carried with a

Vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cubbage

Nora Belle Comer, and Gerald Cubbage.

NAYS: None

MOTION:

Supervisor Good moved to approve checks ranging in numbers from

30950 to 31118 in the amount of \$580,380.39, this excludes check

31026 to Dr. William Mayberry D.D.S. in the amount of \$120.00.

Supervisor Comer seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Gerald Cubbage, Allen Cubbage,
Nora Belle Comer, and Robert Good.

NAYS: None

MOTION:

Supervisor Comer moved to approve the check #31026 payable to Dr.

William Mayberry in the amount of \$120.00

Supervisor Good seconded. The motion was carried by a vote of 4-0-1.

AYES: Robert Good, Nora Belle Comer, Allen Cubbage, and
Gerald Cubbage.

NAYS: None

ABSTAIN: Elaine Mayberry.

MOTION:

Supervisor Mayberry moved to amend motion #5 on warrant list to void

check # 31086 to Tellurian, and to reissue a check with .85cents CPI, with
the remaining balance going to escrow.

Supervisor Gerald Cubbage seconded. The motion was carried with a
Vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cubbage, Gerald Cubbage,
and Nora Belle Comer.

MOTION:

Supervisor Mayberry moved to instruct staff to open an escrow account to hold the CPI funds that is contingent with Tellurian and the County.

Supervisor Comer seconded. The motion was carried with a vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cubbage, Nora Belle Comer, and Gerald Cubbage.

NAYS: None

Relocation of Airport Road:

MOTION:

Supervisor Comer moved to approve the agreement between Page County and the Virginia Department of Transportation for the project relocating the Airport Road. Such agreement limited to \$112,000 for Page County, \$112,000 for The Town of Luray, and \$172,700 for the Virginia Department of Aviation. The Chairman is authorized to execute the agreement subject to the review and approval by the County Attorney.

Supervisor Mayberry seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cubbage, Gerald Cubbage, And Nora Belle Comer.

NAYS: None

Public Comments #2:

Mr. George Shenks

Mr. George Shenks addressed the Board stating that he was a resident of Hope Mills Acres. He came before the Board to ask them to reconsider the previous resolution that the Board had passed. Mr. Shenks also brought to the meeting a petition asking not to turn down the \$400,000 offered from FEMA and to hard surface the road to make this stretch of highway safer.

Mr. Lee McWhorter

Mr. Lee McWhorter announced that he was a concerned citizen from District 3, and voiced his concerns about the new rules on citizen comment period. He stated that one rule should be enforced on everyone, and asked that the Supervisor please not be selective on this ruling concerning different people.

Mr. Charles Ballard

Mr. Charles Ballard spoke before the Board on a wide range of issues such as tax increases, Tellurian, and what he felt were unexceptable mistakes that the Supervisors had made in the past.

Ms. Linda Stumph

Ms. Linda Stumph announced that she was from Shipwreck Farms located in District 5, and posed the question to the Board concerning the proposed racetrack. "Where in Page County is there approx. 33 acres, 8 miles from everyone else?" If a place in Page County could be found that meets this description, then this is the only place that the racetrack should be built. Ms. Stumph noted that if this ordinance was approved, this racetrack would be in the back yards of everyone in the Shipwreck Farms development.

Ms. Call

Ms. Call addressed the Board offering her opposition of changing the ordinance to allow for the proposed racetrack. Ms. Call concluded in reading a newspaper clipping describing the noise that the racetrack would generate.

Mrs. Barbara Coulter

Mrs. Coulter voiced her opposition concerning the ordinance change to allow for the racetrack. Mrs. Coulter noted that this would be going against the goals of the Comprehensive Plan.

Mrs. Natalie Zuckerman

Mrs. Zuckerman addressed the Board stating her opposition concerning the proposed racetrack.

Mr. Ted Kelly

Mr. Kelly announced that he was from Maryland, but has paid taxes for the last 23 years on property in Mill Run. Mr. Kelly borrowed portions of his speech from a radio announcer and a minister, listing practical pros and cons for developing the racetrack.

Mr. John Rogerson

Mr. Rogerson addressed the Board stating that every County deserves a Board that will work for the people. He concluded with commenting on his opposition to the new rules of citizens comment period.

Supervisor Good had a final comment to address to the citizens concerning the proposed racetrack. Supervisor Good told the citizens that they had no intentions of approving or denying the racetrack until they had researched it thoroughly. He concluded in saying that every available means of this research will be taken and if any person should have a question or information that could help, they were certainly encouraged to call him personally to discuss it.

Closed Session: 8:50 p.m.

MOTION:

Supervisor Good moved the Page County Board of Supervisors

enter into a closed meeting pursuant to the provisions of

section 2.1-344.1 of the code of Virginia, 1950, as amended,

for the purpose of discussing legal and personnel matters.

Supervisor Comer seconded. The motion was carried

By a vote of 5-0.

AYES: Elaine Mayberry, Gerald Cubbage, Allen Cubbage,

Robert Good, and Nora Belle Comer.

NAYS: None

Exit closed session: 10:30 p.m.

MOTION:

Supervisor Good moved the closed meeting be adjourned and

The Page County Board of Supervisor convene again in open

session.

Supervisor Gerald Cubbage seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Gerald Cubbage,

Nora Belle Comer, and Allen Cubbage

NAYS: None

Certification of closed session:

"To the best of my knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.1-344 of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting of February 13, 2001."

MOTION: Supervisor Comer SECOND: Supervisor Good

AYES NAYS ABSENT ABSTAIN

Nora Belle Comer X

Elaine Mayberry X

Gerald Cubbage X

Robert Good X

Allen Cubbage X

Action from closed session:

(attachment # 2)

MOTION:

Supervisor Comer made the motion to adopt the resolution presented by
The County Administrator as amended concerning directional personnel
and other matters.

Supervisor Good seconded. The motion was carried by a vote of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cubbage, Gerald Cubbage,
And Nora Belle Comer.

NAYS: None

Recess:

MOTION:

Supervisor Good moved to recess the meeting until February 15th at

10:30 a.m..

Supervisor Gerald Cabbage seconded. The motion was carried by a vote
Of 5-0.

AYES: Elaine Mayberry, Robert Good, Allen Cabbage, Nora Belle Comer,
and Gerald Cabbage.

NAYS: None

Recess: 10:40 p.m.

CHAIRMAN COUNTY ADMINISTRATOR

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